

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JEROME M. JEFFRIES, a minor.

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

JEROME M. JEFFRIES, a/k/a JEROME M.
JEFFRIES, JR.,

Defendant-Appellant.

UNPUBLISHED

February 19, 1999

No. 205591

Wayne Juvenile Court

LC No. 96-335757

Before: Gribbs, P.J., and Saad and P. H. Chamberlain,* JJ.

MEMORANDUM.

Defendant appeals by right the commitment order of the probate court based upon his plea of guilty to one count of receiving and concealing stolen property over \$100, MCL 750.535; MSA 28.803, in exchange for dismissal of a related count of second-degree home invasion, MCL 750.110a(3); MSA 28.305(a)(3). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

We find no abuse of discretion in the refusal to place defendant on probation in the custody of his mother. *In Re Scruggs*, 134 Mich App 617, 621; 350 NW2d 916 (1984). The referee presiding at the dispositional hearing identified valid reasons, supported by the record, for concluding that defendant would not be a good candidate for probation, such as the fact that defendant continued to engage in criminal behavior despite being previously warned by the court just a few months earlier. Although another referee had presided at the adjudicative phase, we are

* Circuit judge, sitting on the Court of Appeals by assignment.

unpersuaded that the referee at the dispositional hearing lacked sufficient familiarity with defendant's case.

Affirmed.

/s/ Roman S. Gibbs

/s/ Henry William Saad

/s/ Paul H. Chamberlain